

ASSEMBLY BILL

No. 1531

Introduced by Assembly Member Portantino

February 27, 2009

An act to add Section 10101.5 to the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1531, as introduced, Portantino. State contracts: employment clauses.

The State Contract Act governs contracting between state agencies and private contractors, and sets forth requirements for the bidding, awarding, and overseeing of contracts for projects, which it defines to include the construction or other improvement to a state structure or building, that will exceed a total specified cost threshold.

This bill would additionally require that a public contract entered into between the state and another person or entity for services, goods, or materials include a clause stating that a person or entity that contracts with the state is prohibited from imposing a condition in the contract that would prohibit or penalize an employee subject to the contract or personal services contractor from seeking or accepting employment with the state.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10101.5 is added to the Public Contract
- 2 Code, to read:

1 10101.5. Notwithstanding any other law, a public contract
2 entered into between the state and another person or entity for
3 services, goods, or materials shall include a clause stating that a
4 person or entity that contracts with the state is prohibited from
5 imposing a condition of employment that would prohibit or
6 penalize an employee subject to the contract or personal services
7 contractor from seeking or accepting employment with the state.